

Federal Communications Commission

DA 99-1218

JUN 29 11 08 AM '99

DISPATCHED  
Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	
Table of Allotments,	)	
FM Broadcast Stations.	)	
(Belfield, North Dakota)	)	MM Docket No. 98-224
	)	RM-9416
	)	
(Medina, North Dakota)	)	MM Docket No. 98-225
	)	RM-9417
	)	
(Burlington, North Dakota)	)	MM Docket No. 98-226
	)	RM-9415
	)	
(Hazelton, North Dakota)	)	MM Docket No. 98-230 ✓
	)	RM-9422
	)	
(Gackle, North Dakota)	)	MM Docket No. 98-231
	)	RM-9421
	)	
(New England, North Dakota)	)	MM Docket No. 98-232
	)	RM-9420

**REPORT AND ORDER****(Proceeding Terminated)****Adopted: June 16, 1999****; Released: June 25, 1999**

By the Chief, Allocations Branch:

1. The Commission has before it six Notices of Proposed Rule Making ("NPRMs"), specified below, setting forth separate proposals to allot channels to specific communities. Although these NPRMs were issued separately and the proposals are not mutually exclusive with each other, we are consolidating them in this Report and Order as part of our effort to expedite and make more efficient the FM allotment rulemaking process because these proceedings are uncontested. While consolidated, these dockets are still separate for finality purposes. In the event a reconsideration petition is directed to an action in a particular docket, a separate Memorandum Opinion and Order will resolve that reconsideration petition.

2. Each petitioner filed comments in support of its proposal, reaffirming its intention to apply for the specified channel, if allotted. Each proposal complies with all Commission technical requirements, and we continue to believe that each proposal would serve the public interest. Accordingly, we adopt each proposal as originally proposed. These are as follows:

**A. MM Docket No. 98-224, RM-9416; 13 FCC Rcd 23556 (1998)**

**Action:** At the request of High Plains Broadcasting, Inc., we are allotting Channel 230C1 to Belfield, North Dakota, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 230C1 at Belfield are 46-53-06 NL; 103-11-48 WL.

**Additional Information:** This allotment requires no site restriction. Concurrence by the Canadian government has been obtained since Belfield is located within 320 kilometers (200 miles) of the U.S.-Canadian border

**FCC Contact:** Leslie K. Shapiro, (202) 418-2180.

**B. MM Docket No. 98-225, RM-9417; 13 FCC Rcd 23556 (1998)**

**Action:** At the request of High Plains Broadcasting, Inc., we are allotting Channel 222C to Medina, North Dakota, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 222C at Medina are 46-53-36 NL and 99-17-54 WL.

**Additional Information:** This allotment requires no site restriction. Concurrence by the Canadian government has been obtained since Medina is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

**FCC Contact:** Leslie K. Shapiro, (202) 418-2180.

**C. MM Docket No. 99-226, RM-9415; 13 FCC Rcd 23556 (1998)**

**Action:** At the request of High Plains Broadcasting, Inc., we are allotting Channel 276C1 to Burlington, North Dakota, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 276C1 at Burlington are 48-16-42 NL; 101-25-36 WL.

**Additional Information:** This allotment requires no site restriction. Concurrence by the Canadian government has been obtained since Burlington is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

**FCC Contact:** Leslie K. Shapiro, (202) 418-2180.

**D. MM Docket No. 98-230, RM-9422; 13 FCC Rcd 25026 (1998)**

**Action:** At the request of High Plains Broadcasting, Inc., we are allotting Channel 280C to Hazelton, ND, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 280C at Hazelton are 46-38-05 NL; 100-25-40 WL.

**Additional Information:** This allotment requires a site restriction of 20.4 kilometers (12.7 miles) north to avoid a short-spacing to Station KGIM-FM, Channel 279C1, Redfield, SD. Concurrence by the Canadian government has been obtained since Hazelton is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

**FCC Contact:** Leslie K. Shapiro, (202) 418-2180.

**E. MM Docket No. 98-231, RM-9421; 13 FCC Rcd 25026 (1998)**

**Action:** At the request of High Plains Broadcasting, Inc., we are allotting Channel 256C to Gackle, ND, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 256C at Gackle are 46-37-30 NL; 99-08-30 WL.

**Additional Information:** This allotment requires no site restriction. Concurrence by the Canadian government in the allotment has been obtained since Gackle is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

**FCC Contact:** Leslie K. Shapiro, (202) 418-2180.

**F. MM Docket No. 98-232, RM-9420; 13 FCC Rcd 25026 (1998)**

**Action:** At the request of High Plains Broadcasting, Inc., we are allotting Channel 239C to New England, ND, as the community's first local aural transmission service.

**Coordinates:** The reference coordinates for Channel 239C at New England, ND, are 46-32-24 NL; 102-51-48 WL.

**Additional Information:** This allotment requires no site restriction. Canadian concurrence in the allotment has been obtained since New England is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

**FCC Contact:** Leslie K. Shapiro, (202) 418-2180.

3. Accordingly, pursuant to the authority found in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective August 9, 1999, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Belfield, North Dakota	230C1
Burlington, North Dakota	276C1
Gackle, North Dakota	256C
Hazelton, North Dakota	280C
Medina, North Dakota	222C
New England, North Dakota	239C

4. The window period for filing applications for these allotments will not be opened at this time. Instead, the issue of opening a filing window for these allotments will be addressed by the Commission in a subsequent order.

5. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

6. For further information concerning a specific docket, contact the FCC Contact listed above for that docket. Questions related to the window application filing process should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

**FEDERAL COMMUNICATIONS COMMISSION**

John A. Karousos  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau